

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

MAR 17 2020

Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

Carlos Ivan SANTANA

DOB: 1991

United States Citizen

Case No. M-20-0751-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 17, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC § 922(a)(6)

Knowingly making false written statements or representations in the acquisition of a firearm with respect to the information required to be kept in the records of a licensed Federal firearms dealer in violation of Title 18 United States Code, Section 922(a)(6).

This criminal complaint is based on these facts:

See Attachment A.

☒ Continued on the attached sheet.Approved on 3/17/20 by Kristina Pehlke
KPD

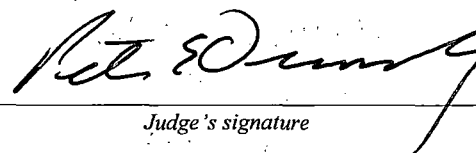
Complainant's signature

Vincent Rubbo, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

March 17, 2020
8:30 am

Judge's signature

City and state:

McAllen, Texas

Peter E. Ormsby, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

I, Special Agent Vincent Rubbo, affiant, do hereby depose and state the following:

1. I am a Special Agent of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been a law enforcement officer since January 2015.
2. My duties include the investigation of violations of the Federal firearms laws. I know it to be unlawful for any person in connection with the acquisition or attempted acquisition of any firearm(s) from a licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, intended or likely to deceive such dealer with respect to any fact material to the lawfulness of the sale of such firearm(s). Furthermore, it is a violation of the Federal firearms laws for a person to knowingly make any false statement or representation with respect to the information required to be kept in the records of a licensed Federal firearms dealer (FFL).
3. On ~~September 17, 2019~~ ^{October 13, 2019 (ag)}, Carlos Ivan SANTANA, hereinafter referred to as SANTANA, purchased a Century Arms Inc., VSKA, 7.62x39mm rifle, and a Century Arms Inc., Draco, 7.62x39mm pistol from Point Blank Sporting Goods FFL located in Pharr, Texas.
4. On February 23, 2020, SANTANA filed a burglary of vehicle police report with the Pharr, Texas Police Department alleging seven (7) firearms were stolen from his vehicle including the abovementioned firearms. SANTANA informed the Investigator he would help provide serial numbers for the firearms that were allegedly stolen at a later date.
5. On March 16, 2020, SANTANA agreed to meet with the Investigator in reference to the stolen firearms. ATF Special Agents, a Homeland Security Investigations (HSI) SA, and the Pharr Police Department Investigator interviewed SANTANA in reference to the stolen firearms. SANTANA was advised of his Miranda rights, acknowledged his rights, and agreed to speak with the investigators.
6. SAs reviewed the ATF Form 4473 (Firearms Transaction Record) with SANTANA for the two Century Arms Inc. firearms, dated ~~September 17, 2019~~ ^{10/13/19}. SANTANA acknowledged filling out the form and also falsifying information contained on the ATF Form 4473. SANTANA admitted he made a false statement on the ATF Form 4473 when he indicated he was the actual purchaser of the firearms. SANTANA stated he purchased the two (2) AK-47 variant firearms on behalf of another co-conspirator. SANTANA stated he was paid \$300 to \$500 profit to straw purchase the firearms. Furthermore, SANTANA stated the firearms were unlawfully smuggled from the United States to Mexico. SANTANA stated he later observed the same firearms he had previously straw purchased while physically present in Mexico.
7. Based upon the above information, it is alleged that SANTANA violated the Federal Firearms Laws by illegally straw purchasing firearms. SANTANA is in violation of Title 18 United States Code §§ 922(a)(6).